

### **REMARKS**

Claims 29, 30, and 49-58 are pending in the application.  
Claims 29, 30, and 49-58 were rejected.  
Claims 49, 50, 52, 54, 55, and 57 were amended to overcome informalities.  
No new matter has been added.  
Reconsideration of the Claims is respectfully requested.

#### **1. Objection to the Claims**

Claims 49, 50, 52, 54, 55, and 57 had been objected to due to informalities. The changes suggested in the Office Action have been made.

#### **2. Rejection under 35 U.S.C. § 103**

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. MPEP § 2142, p. 2100-134 (Rev. 3, August 2005) (citations omitted).

**Claims 29, 30, and 49-58 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,549,539 to Neyman ("Neyman") in view of U.S. Patent No. 6,6064,667 to Gisby et al. ("Gisby").**

Neyman relates to "enhanc[ing] . . . networks with added intelligence so that calls may be routed intelligently in much the same way as in a COST [(Cost Oriented, Switched Telephone)] network." Neyman notes that "[r]ecent advances in technology have made it possible to convert COST calls to DNT [(Data Network)] format and vice versa, however, *systems known to the inventor to have this capability are lacking in intelligence on the DNT network side with regards to further routing of calls.*" (Neyman Col. 4:39-47). This lack of intelligence leads to the use of homogenous call centers with "uniform technology" agent phones. Neyman provides these agent terminals as "[two] agent workstations (there may be many more), workstation 73 and

workstation 71 are adapted *to include individual COST telephones 83, and 81 respectively*. COST phones 83 and 81 are connected to switch 39 via internal extension wiring 40. Workstations 73 and 71 are also adapted to include PC/VDU's 77 and 79 respectively.” (Neyman Col. 9:33-39) (emphasis added).

In other words, for example, Neyman *does not provide* for a network spanning heterogeneous call center controller including a first set of agent output channels responsive to a switching element, and a second set of agent output channels responsive to an internet protocol interface. Instead, Neyman relates to transfer of calls between homogenous call centers, not heterogeneous call center controllers.

Gisby relates to “*rerouting* Internet Telephony Protocol Telephony calls received at a first call center to a second call center.” (Gisby Col. 3:65-67) (emphasis added). “Each call-in center 121 and 122 . . . includes at least two telephone-equipped agent workstations, which also each have a user interface (IF) to the associated LAN.” (Gisby Col. 5:39-42).

The first call center of Gisby is described as a homogenous CTI-type call center, in which a “[w]orkstation 131 at center 121 for example has a telephone 136 connected to central switch 123, and a proximate user interface 331 to network 301. Interface 331 may be a PC, a network terminal, or other system, and typically provides a video display unit (VDU) and input apparatus (keyboard/pointer for example) allowing an agent to view data and make appropriate inputs.” (Gisby Col. 5:42-50). The second call center of Gisby, as understood, is a homogenous POTS-type call center, in which “workstations 133 and 134 are shown having respectively telephones 140 and 142 connected to central switch 124, in turn connected to processor 224 by link 213.” (Gisby Col. 5:54-60).

In other words, Gisby does not provide for a network spanning heterogeneous call center controller including a first set of agent output channels responsive to a switching element, and a second set of agent output channels responsive to an internet protocol interface. Instead, Gisby relates to homogenous call centers.

In view of the foregoing, Applicant respectfully submits that there is no suggestion or motivation to modify the reference of Neyman in view of Gisby that would achieve Applicant's claimed invention. Further, Applicant respectfully submits that the references of Neyman and/or Gisby, alone or in combination, do not teach or suggest all of Applicant's claim limitations.

For example, Applicant's Claim 29 recites, *inter alia*, a "network spanning heterogeneous call center controller comprising: a public switched telephone network input; an internet connection input; a switching element responsive to the public switched telephone network input; an internet protocol interface responsive to the internet connection input; . . . *a first set of agent output channels responsive to the switching element*, the first set of agent output channels *directed to communicate with circuit switched agent terminals*; a second set of agent output channels *responsive to the internet protocol interface*, the second set of agent output channels *directed to communicate with internet enabled agent terminals*; and a domain conversion module coupled to the switching element and the internet protocol interface, *the domain conversion module to convert between the internet protocol traffic and the circuit switched voice traffic, the domain conversion module responsive to the internet protocol interface.*" (emphasis added).

Also, Applicant's Claim 49 recites, *inter alia*, a "network spanning heterogeneous call center controller comprising: an internet connection input; a switching element responsive to a public switched telephone network input; an internet protocol interface responsive to an internet connection input; . . . a first set of agent output channels responsive to the switching element, the *first set of agent output channels* directed to communicate with circuit switched agent terminals; *a second set of agent output channels* responsive to the internet protocol interface, the second set of agent output channels *directed to communicate with internet enabled agent terminals*; and a domain conversion module coupled to the switching element and the internet protocol interface to convert internet protocol traffic and circuit switched voice traffic on an inter-domain basis *between the first set of agent output channels and the second set of agent output channels.*" (emphasis added).

Further, Applicant's Claim 54 recites, *inter alia*, a "network spanning heterogeneous call center comprising: processing circuitry; an internet protocol (IP) interface operably coupled to

the processing circuitry that supports data transmission with an IP network for receiving data traffic; a switching element operably coupled to the processing circuitry that supports data transmission with a public switched telephone network (PSTN) network for receiving voice traffic; *a domain conversion module operably coupled to the IP interface and the switching element that supports conversion of voice traffic between a PSTN network domain and an IP network domain*; and memory operably coupled to the processing circuitry, wherein the memory stores operational instructions that cause the processing circuitry to: when an IP-enabled agent of a plurality of IP-enabled agents *is unavailable, present the data traffic to the domain conversion module to route the data traffic through the switching element to a first set of agent output channels responsive to the switching element*; and when an agent telephone unit of a plurality of agent telephone units *is unavailable, present the voice traffic to the domain conversion module to route the voice traffic through the IP interface to a second set of agent output channels responsive to the internet protocol interface.*" (emphasis added).

Accordingly, neither Neyman nor Gisby provide a suggestion or motivation for their hypothetical combination to achieve Applicant's claimed invention. Applicant respectfully submits that a *prima facie* case of obviousness has not been established in that Neyman nor Gisby do not teach or suggest all the Claim limitations for Independent Claims 29, 49, and 54. Also, Applicant respectfully submits that Neyman nor the hypothetical combination of Neyman in view of Gisby similarly do not teach or suggest all the claim limitations of Applicant's claims 29, 49, and 54. Similarly, Applicant respectfully submits that a *prima facie* case of obviousness has not been established with respect to its claim 30 that depends from Claim 29, its claims 50-53 that depend directly or indirectly from Claim 49, and its claims 55-58 that depend directly or indirectly from Claim 54.

### **3. Conclusion**

As a result of the foregoing, the Applicant respectfully submits that Claims 29, 30, and 49-58 in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *ksmith@texaspatents.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126.

Respectfully submitted,

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